

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOE HAND PRODUCTIONS, INC.,

Plaintiff,

- against -

JOHN ZAFARANLOO; STEWART A.
FORTUNATO; DADDY O'S BBQ & SPORTS
BAR, INC., d/b/a DADDY O'S BBQ,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

MEMORANDUM AND
ORDER

12-CV-3828 (RRM) (RER)

By a motion filed July 23, 2013, plaintiff moved for a default judgment. On July 26, 2013, this Court granted that motion and referred this matter to the assigned Magistrate Judge, the Honorable Ramon E. Reyes, Jr., for an inquest on damages. On March 11, 2014, Magistrate Judge Reyes issued a Report and Recommendation ("R&R") recommending that this Court (1) award plaintiff \$5065.80 in damages against defendants jointly and severally, comprising \$1153.95 in actual damages, \$3461.85 in enhanced damages, and \$450.00 in costs, together with post-judgment interest; (2) deny plaintiff's requests for conversion damages and for attorney's fees; and (3) decline to issue a permanent injunction.

Magistrate Judge Reyes reminded the parties that, pursuant to Fed. R. Civ. P. 72(b), any objections to the R&R were due within fourteen (14) days of its receipt. (Doc. No. 16 at 12.) Magistrate Judge Reyes further ordered plaintiff to serve copies of the R&R on defendants "by next-day mail by March 14, 2014 at each of their last known addresses, and to promptly file proof of service with the Clerk of the Court." (*Id.*) On March 13, 2014, plaintiff filed the certificate of service. As of this date, no party has filed any objections.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, the Court has reviewed the R&R for clear error and, finding none, concurs with and adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby ORDERED that plaintiff is awarded \$5065.80 in damages against defendants jointly and severally, comprising \$1153.95 in actual damages, \$3461.85 in enhanced damages, and \$450.00 in costs, together with post-judgment interest. Plaintiff's requests for conversion damages, attorney's fees, and a permanent injunction are denied.

The Clerk of Court is directed to enter judgment, transmit copies of this Order and the accompanying judgment to defendants at each of their last known addresses via U.S. Mail, and close this case.

SO ORDERED.

Roslynn R. Mauskopf

Dated: Brooklyn, New York
April 1, 2014

ROSLYNN R. MAUSKOPF
United States District Judge